



COMMONWEALTH OF MASSACHUSETTS
Board of Registration
of
Hazardous Waste Site Cleanup Professionals

MINUTES
of
BOARD MEETING

Held on
June 20, 2007

Meeting Location: Cyn Environmental Services
100 Tosca Drive
Stoughton, Mass.

Prepared by: A. Fierce

[Approved: July 30, 2007]

1. **Call to Order:** Chairperson Janine Commerford called the meeting to order at 4:15 p.m. The other Board members present were Gail Batchelder, Deborah Farnsworth, Kirk Franklin, Christophe Henry, Gretchen Latowsky, Paul Mullen, Debbie Phillips, Kelley Race, and Debra Stake. Board member Robert Luhrs was absent. The LSP Board staff members present were Allan Fierce, Terry Wood, Lynn Read, Jan Reitsma, Brian Quinlan, and Al Wyman. Also present were Wes Stimpson, the Executive Director of the LSP Association, and Tom Potter and Deborah Marshall from MassDEP.
2. **Announcements:** Mr. Fierce announced that due to remodeling of the building at One Winter Street, the LSP Board staff is temporarily being relocated from the 3rd floor to the 6th floor, beginning on Monday, June 25. All telephone numbers will remain the same. The staff will return to the 3rd floor in a few weeks.
3. **Agenda:** The Board agreed to add "Annual Program Priorities" to the agenda immediately after "Personnel, Budget, and Fees."
4. **Minutes:** The Board reviewed the draft minutes of the meeting of the Board held on May 23, 2007. After making one correction, **a motion was made and seconded to approve the minutes as amended. The motion was approved unanimously.**
5. **Decisions Regarding License Applicants:** The staff presented the following Application Dockets:

<p><u>Docket No. 1:</u> The applicant's name, company name, application number, and Application Review Panel recommendation were read into the record:</p>

Barbara A Weir	Metcalf & Eddy	#3331	<u>ARP</u> 202	<u>REC.</u> A
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Ms. Phillips was recused and left the room.

A motion was made and seconded that the recommendation from ARP #202 be accepted, i.e., that the application submitted by Ms. Weir be approved and that she be found eligible to take an exam. The motion was approved unanimously.

<u>Docket No. 2:</u> The applicants' names, company names, application numbers, and Application Review Panel recommendations were read into the record:				
			<u>ARP</u>	<u>REC.</u>
Patricia A. Haederle	KeySpan Corp.	#2608	203	A
Robert I. Patten	Edwards and Kelcey	#3335	203	A

A motion was made and seconded that the recommendations from ARP #202 be accepted, i.e., that the applications submitted by Ms. Haederle and Mr. Patten be approved and that they be found eligible to take an exam. The motion was approved unanimously.

Ms. Phillips returned and rejoined the meeting.

6. **License Renewal Applications:** The staff presented the following License Renewal Docket:

Renewal Docket #1	
Renewal Date: April 30, 2007	
Received a 90-day extension	
Has met all requirements for renewal.	
New Renewal Date: April 30, 2010	
1. Ashley, Ernest C.	#4894

A motion was made and seconded to renew the license of the LSP on Renewal Docket #1 for a three-year period ending on the date indicated. The motion was approved unanimously.

7. **Other Licensing-Related Matters:**

A. New Panel Assignments and Scheduling. Mr. Quinlan sought and obtained volunteers for Application Review Panel #204 (Ms. Farnsworth, Ms. Phillips, and Ms. Stake).

B. Appeals Status Report. Ms. Wood reported that the prehearing conference in the pending appeal has been scheduled for August 20 at DALA.

C. Correspondence: Ms. Wood reported that the Board had received a letter from Cynthia Gilchrist, whose application was recently denied by the Board. [A copy of the letter had been placed in the Board members' Packets.] In the letter, Ms. Gilchrist requested *"that the ARP/Board provide a detailed list of the criteria required to gain approval to sit for the LSP exam."* Ms. Wood stated that she had communicated with Ms. Gilchrist and learned that Ms. Gilchrist wanted her request for "criteria" to be presented to the full Board. After discussing this request, the Board directed Mr. Fierce to write to Ms. Gilchrist explaining that the only application criteria the Board has are set forth in the Board's regulations and that the only additional information the Board has about these criteria is set forth in the Application Instructions.

D. Inactive Status Report. The staff reported that during the past month there were no changes to the list of Inactive LSPs.

8. Examinations:

A. New Licensees. Mr. Fierce reported that the exam has not been administered since last month's meeting. Therefore, there are no new licensees.

Mr. Fierce noted that the total number of Active LSPs as of this date was 561.

B. Next LSP Exam. Mr. Fierce reported that the next licensing exam has yet to be scheduled but would likely be sometime in July.

C. LSP Exam Update Project. Mr. Fierce and Ms. Commerford reported that the Board's Exam Technical Advisors met on May 25 with Dr. Kevin Sweeney, the psychometrician the Board has retained to assist with the cut-score workshop needed to establish passing scores for the Board's updated, revised exams. The Technical Advisors will meet again with Dr. Sweeney on June 25. The Cut-Score Workshop will likely take place in July or August. Mr. Fierce noted that additional Board members would be asked to participate in the Workshop, which was likely to be a two-day event. There will also be other participants at the Workshop: "experienced" LSPs, "new" LSPs, and staff from MassDEP. Mr. Fierce asked the Board members for suggestions of names of LSPs who might be willing to participate.

9. Continuing Education Committee Report:

A. Course Approval Requests. Mr. Henry reported that the Committee had met earlier in the day. Because the Committee had received no course proposals since the previous Board meeting, the Committee had no course recommendations to present to the full Board at this meeting.

- B. Other Business.** The Committee reported that it had received no waiver requests during the past month.
10. **Professional Conduct Committee:** Since all the Board members present at this meeting were also present at the Professional Conduct Committee meeting held earlier in the day, the Board agreed to forego a committee report.
11. **Personnel, Budget, and Fees:**
- A. Personnel Report.** Mr. Fierce reported that the hiring process to replace Ms. Hartley is underway. Interviews have been conducted and reference forms are now being collected.
- B. FY-08 Budget.** Mr. Fierce reported that both the House and the Senate have recommended the same number for the LSP Board that was in the Governor's budget recommendation for the next fiscal year, namely \$377,680. This amount is about \$7,500 more than the Board received in FY-07. The State Budget is now heading to a Conference Committee.
- C. Fees.** Mr. Fierce reported that in the absence of Ms. Hartley or her replacement, the staff has remained unable to conduct its annual audit of LSP Annual Fee payments to determine who has paid and who has not. Staff is continuing to collect all Application Fees, Exam Fees, Renewal Fees, and fees for all public records requests.
12. **FY-2008 Program Priorities:** Mr. Fierce explained that when the Professional Conduct Committee approved Board Policy #2007-01 at its meeting last month, it directed that the goal of concluding 10 investigations in FY-08 be added to the annual Program Priorities document rather than be included in the Policy. Mr. Fierce said while this would be one element of the FY-08 Program Priorities document, the Board needed to reserve some time at an upcoming Board meeting to discuss what other elements it wanted to include in this document. Given that FY-08 begins on July 1, he suggested that the Board reserve time at the July meeting to discuss all the FY-08 program priorities. He handed out a first draft of a FY-08 Program Priorities document (based on this year's document) and asked the Board to put this topic on next month's agenda. The Board concurred with this suggestion.
13. **Status of Board Member Replacements by Governor:** Ms. Commerford reported that the recommendation memo has been received at the Governor's appointments office.
14. **Next Article for LSPA News:** The Board suggested that the staff write about the recent disciplinary case in which a former LSP was prohibited from reapplying.
15. **Scheduling of Next Meetings:** The Board agreed to hold its next meeting on Wednesday, July 30, 2007, at a location to be determined in or near New Bedford. The

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August meeting was tentatively scheduled for Wednesday, August 22, 2007, at Weston & Sampson in Peabody.

16. **Adjournment:** The meeting was adjourned at 4:52 p.m.